

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.834 OF 2007

DATED 29th JANUARY, 2007

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Between

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Smt Bendalam Eswaramma

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... Petitioner

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AND

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The Joint Collector, Srikakulam, and others.

.... Respondents

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THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.834 OF 2007

ORDER:

The petitioner filed an application before the second respondent feeling aggrieved by the issue of record of rights to respondents 4 and 5. In response thereto, the second respondent by communication bearing No.L.Dis 84/06, dated Nil -2-2006, requested the third respondent to enquire into the representation submitted by the petitioner and submit a report. It is the grievance of the petitioner that in spite of the same, the enquiry has not been completed. Therefore, a direction is sought to second respondent to complete the enquiry expeditiously.

At the stage of Admission itself, respondents 4 and 5 appeared through a counsel. Learned counsel for these respondents submits that the Mandal Revenue Officer (MRO) issued Pattadar Pass Books and Title Deeds (PPB/TD) to contesting respondents in respect of the land admeasuring Acs.7.60 in survey No.36 situated at Gottipalli Village and that the representation made by the petitioner to second respondent cannot be treated as an Appeal. He also relies on the decision of this Court in **B.Pushpamma v Joint Collector, Ranga Reddy District** ^[1] in support of the contention that if the petitioner disputes the title of the contesting respondents, she has to file a suit under Section 8(2) of A.P.Rights in Land and Pattadar Pass Books Act, 1971 (the Act, for brevity).

The legal position as submitted by the learned counsel for respondents 4 and 5 cannot be denied nor disputed. However, as the second respondent initiated some action on the representation submitted by the petitioner, it would be better if a direction is issued to second respondent to pass appropriate orders keeping in view the question of limitation under Section 5(5) of the Act as well as the decision of this Court referred to hereinabove. This exercise may be completed within a period of eight weeks from the date of receipt of copy of this order.

The writ petition is accordingly disposed of. No costs.

(V.V.S.RAO,J)

29.01.2007.
pln

[\[1\]](#) 2005 (1) ALT 240